

State of Arizona
House of Representatives
Forty-seventh Legislature
First Regular Session
2005

CHAPTER 119

HOUSE BILL 2087

AN ACT

AMENDING SECTION 41-1609.05, ARIZONA REVISED STATUTES; RELATING TO THE
COMMUNITY ACCOUNTABILITY PILOT PROGRAM.

(TEXT OF BILL BEGINS ON NEXT PAGE)



1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 41-1609.05, Arizona Revised Statutes, is amended to
3 read:

4 41-1609.05. Community accountability pilot program; fund;
5 program termination; definition

6 A. The department shall contract with an experienced private or
7 nonprofit entity to operate a community accountability pilot program to
8 provide eligible inmates with supervision and treatment services. The
9 department shall procure community accountability services pursuant to
10 chapter 23 of this title.

11 B. The pilot program shall initially provide services to not more than
12 one thousand eligible inmates. At the end of the second year of the pilot
13 program, the program shall provide services to not more than two thousand
14 eligible inmates. The program shall provide services that are designed to
15 lower recidivism rates by providing intensive monitoring and specific
16 treatment. Inmates shall enroll in the program for at least ninety days
17 unless removed by the director pursuant to subsection E of this section.

18 C. The goals of the community accountability pilot program include:

- 19 1. Reducing recidivism.
- 20 2. Providing treatment and rehabilitation services.
- 21 3. Providing supervision through electronic monitoring.
- 22 4. Preparing eligible inmates for independent living following
23 community supervision.
- 24 5. Enhancing public safety.

25 D. The community accountability pilot program may provide the
26 following COMMUNITY BASED services to eligible inmates:

- 27 1. Substance abuse education and treatment.
- 28 2. Random mandatory drug testing.
- 29 3. Electronic monitoring, remote alcohol testing, global positioning
30 system tracking and voice identification community tracking.
- 31 4. Life skills programming.
- 32 5. Employment preparation.
- 33 6. Anger management.
- 34 7. Parenting skills and family orientation.
- 35 8. Cognitive skills training.
- 36 9. General equivalency diplomas and adult basic education.
- 37 10. Housing assistance.
- 38 11. Health care and stress management.
- 39 12. Transportation planning.
- 40 13. Group and individual counseling.

41 E. The director shall identify inmates who are eligible for the
42 community accountability pilot program and shall determine all supervision,
43 admission and termination requirements. The director may remove an inmate
44 from the program. The director may order an eligible inmate to participate in
45 the program in lieu of parole or community supervision revocation.

1 F. The contracting entity shall operate the program, including the
2 management of any facility and its staff, the design of the program and the
3 installation and maintenance of all equipment necessary for operation of any
4 facility. FACILITIES THAT ARE ESTABLISHED AND OPERATED UNDER THE PILOT
5 PROGRAM SHALL BE KNOWN AS COMMUNITY ACCOUNTABILITY REPORTING CENTERS. The
6 contracting entity shall use existing risk assessment scores utilized by the
7 department to establish three levels of behavior modification and treatment
8 services. On initial entrance into the program, an eligible inmate shall be
9 placed in level one. Case managers shall provide monthly reports to the
10 eligible inmate's supervising officer, except that a violation shall be
11 reported within twenty-four hours.

12 G. THE CONTRACTING ENTITY SHALL NOT PROVIDE HOUSING FOR ELIGIBLE
13 INMATES WHO PARTICIPATE IN THE PILOT PROGRAM. THE DEPARTMENT MAY REQUIRE THE
14 CONTRACTING ENTITY TO PROVIDE GUIDANCE AND COUNSELING TO PARTICIPATING
15 ELIGIBLE INMATES WHO REQUIRE ASSISTANCE IN LOCATING AND OBTAINING HOUSING.

16 ~~G.~~ H. After an eligible inmate has been in the program for sixty days
17 or more, the department may require as a condition of program participation
18 that the eligible inmate pay a supervision fee, unless the inmate is
19 determined to be indigent. The case manager shall monitor the collection of
20 the fee. Monies collected pursuant to this subsection shall be deposited,
21 pursuant to sections 35-146 and 35-147, in the community accountability fund
22 established pursuant to subsection ~~H~~- I of this section.

23 ~~H.~~ I. The community accountability fund is established consisting of
24 fees collected pursuant to subsection ~~G~~- H of this section. The director
25 shall administer the fund for the purposes of this section. Monies in this
26 fund are continuously appropriated.

27 ~~I.~~ J. During the first year of operation of the pilot program, the
28 contracting entity shall provide monthly reports to the department and the
29 joint legislative budget committee. Beginning in the second year of the
30 pilot program, the contracting entity shall report at least annually to the
31 department and the joint legislative budget committee.

32 ~~J.~~ K. The pilot program established by this section ends on July 1,
33 2009 pursuant to section 41-3102.

34 L. THIS SECTION DOES NOT PROHIBIT THE DEPARTMENT FROM OFFERING HOUSING
35 TO ELIGIBLE INMATES.

36 ~~K.~~ M. For the purposes of this section, "eligible inmate" means an
37 inmate who is on community supervision or who is eligible for community
38 supervision and who has not been convicted of a violent offense as defined in
39 section 13-604.04, a dangerous crime against children as defined in section
40 13-604.01 or a sexual offense pursuant to title 13, chapter 14 or 35 35.1.

APPROVED BY THE GOVERNOR APRIL 18, 2005.

FILED IN THE OFFICE OF THE SECRETARY OF STATE APRIL 18, 2005.

Passed the House February 28, 2005

Passed the Senate April 6, 2005.

by the following vote: 58 Ayes,

by the following vote: 23 Ayes,

0 Nays, 2 Not Voting

3 Nays, 2 Not Voting

Speaker of the House

President of the Senate

Chief Clerk of the House

Secretary of the Senate

**EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR**

This Bill was received by the Governor this

_____ day of _____, 20____

at _____ o'clock _____ M.

Secretary to the Governor

Approved this _____ day of _____

_____ , 20____.

at _____ o'clock _____ M.

Governor of Arizona

**EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE**

This Bill was received by the Secretary of State

this day of , 20 ,

at _____ o'clock _____ M.


Secretary of State

HOUSE CONCURS IN SENATE
AMENDMENTS AND FINAL PASSAGE

April 12, 2005,

by the following vote: 59 Ayes,

0 Nays, 1 Not Voting


Speaker of the House
Pro Tempore
Speman L. Fyore
Chief Clerk of the House

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR

This Bill was received by the Governor this

13th day of April, 2005

at 12:00 o'clock P. M.

Wendee L. Barba
Secretary to the Governor

Approved this 18 day of

April, 2005,

at 1:45 o'clock P. M.

J. A. Nye
Governor of Arizona

H.B. 2087

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE

This Bill was received by the Secretary of State

this 18 day of April, 2005,

at 4:42 o'clock P. M.

Janice K. Brewer
Secretary of State